

# **EXHIBIT B**

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23 UNITED STATES DISTRICT COURT  
24 NORTHERN DISTRICT OF CALIFORNIA  
25 SAN FRANCISCO DIVISION

26 SAP AKTIENGESELLSCHAFT, a  
27 German corporation,

28 Plaintiff,

v.

i2 TECHNOLOGIES, INC., a Delaware  
corporation

Defendant.

Case No. ~~34~~:07-cv-04187-JCS-SBA

**~~PLAINTIFF SAP~~**  
**~~AKTIENGESELLSCHAFT'S~~**  
**~~FIRST~~**  
**~~[PROPOSED] SECOND AMENDED~~**  
**COMPLAINT FOR PATENT**  
**INFRINGEMENT**  
**(JURY TRIAL DEMANDED)**

Plaintiff SAP Aktiengesellschaft ("SAP") for its First Amended Complaint against  
Defendant i2 Technologies, Inc. ("i2") avers the following:

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**NATURE OF THE ACTION**

1. This is a civil action for patent infringement of United States Patents Nos. 6,407,761 ("the '761 patent") and 6,750,766 ("the '766 patent"), and 7,222,369 ("the '369 patent") (collectively, the "patents-in-suit"), brought pursuant to the patent laws of the United States, title 35 of the United States Code. Copies of these patents are attached hereto as Exhibits "A," "B," and "BC."

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**PARTIES**

2. Plaintiff SAP is a German corporation with its headquarters at Dietmar-Hopp-Allee 16, 69190, Walldorf, Germany. SAP is the parent company of SAP America, Inc., which in turn is the parent of SAP Labs, LLC, a subsidiary headquartered at 3475 Deer Creek Road, Palo Alto, California.

3. On information and belief, Defendant i2 is a Delaware corporation with its headquarters at 11701 Luna Road, Dallas, Texas 75234 and with offices at 1250 Oakmead Parkway, Suite 210 Sunnyvale, California 94085.

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**SUBJECT MATTER JURISDICTION**

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

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**VENUE**

5. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400 in that Defendant i2 has an established place of business and regularly conducts business in this judicial district and a substantial part of the events giving rise to this action are occurring and have occurred in this judicial district.

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**FIRST CLAIM FOR RELIEF**  
**(Infringement of the '761 Patent)**

6. SAP incorporates by reference the allegations of paragraphs 1 – 5 above.

1           7.       On June 18, 2002, the United States Patent and Trademark Office duly and legally  
2 issued the '761 patent, entitled "System and method for the visual customization of business  
3 object interfaces," to Pong Ching, Martin Stein, and Larry Chiang. SAP is the owner, by valid  
4 assignment, of all rights, title and interest in the '761 patent.

5           8.       Defendant has been, and currently is, directly and indirectly infringing the '761  
6 patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale, and/or  
7 inducing others to use products falling within the scope of one or more of the claims of the '761  
8 patent, including Defendant's i2 Six Solutions, and doing so without Plaintiff's permission.

9           9.       As a direct and proximate consequence of Defendant's infringement of the '761  
10 patent, SAP has suffered and will continue to suffer irreparable injury and damages in an amount  
11 not yet determined for which SAP is entitled to relief.

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13                               **SECOND CLAIM FOR RELIEF**  
14                               **(Infringement of the '766 patent)**

15           10.       SAP incorporates by reference the allegations of paragraphs 1 – 5 above.

16           11.       On June 15, 2004, the United States Patent and Trademark Office duly and legally  
17 issued the '766 patent, entitled "Alerts Monitor," issued to Ami Heitner, Avi Mishan, Irena Kull,  
18 and Ziv Holzman. SAP is the owner, by valid assignment, of all right, title and interest in the  
19 '766 patent.

20           12.       Defendant has been, and currently is, directly and indirectly infringing the '766  
21 patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale, and/or  
22 inducing others to use products falling within the scope of one or more of the claims of the '766  
23 patent, including Defendant's i2 Six Solutions, and doing so without Plaintiff's permission.

24           13.       As a direct and proximate consequence of Defendant's infringement of the '766  
25 patent, SAP has suffered and will continue to suffer irreparable injury and damages in an amount  
26 not yet determined for which SAP is entitled to relief.

27                               **THIRD CLAIM FOR RELIEF**  
28                               **(Infringement of the '369 Patent)**

17. As a direct and proximate consequence of Defendant's infringement of the '369  
SAP has suffered and will continue to suffer irreparable injury and damages in an amount  
determined for which SAP is entitled to relief.

**WHEREFORE, SAP requests entry of judgment in its favor and against i2 as follows:**

E. For such other and further relief as the Court may deem just and fair.

1 Dated: ~~September 14, 2007~~ February 29, 2008 FENWICK & WEST LLP

2  
3 By: ~~/s/ Hector J. Ribera~~

4  
5 By: /s/ Todd R. Gregorian

6 Attorneys for Plaintiff  
7 SAP Aktiengesellschaft  
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FENWICK & WEST LLP  
ATTORNEYS AT LAW  
MOUNTAIN VIEW

**DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury on all issues so triable raised herein.

Dated: ~~September 14, 2007~~ February 29, 2008 FENWICK & WEST LLP

By: ~~/s/ Hector J. Ribera~~

By: /s/ Todd R. Gregorian

Attorneys for Plaintiff  
SAP Aktiengesellschaft

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